

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VINCENT KHOURY TYLOR, et al.,

Plaintiffs,

v.

JARRELL & ASSOCIATES, INC., et al.,

Defendants.

Case No. 15-cv-04133-DMR

**ORDER REQUIRING DEFENDANT
JARRELL & ASSOCIATES, INC.
TO MAKE AN APPEARANCE**

Re: Dkt. No. 12

Default was entered against Jarrell & Associates, Inc. and Lisa Marie Jarrell-Wear on October 15, 2015. [Docket No. 10.] On October 30, 2015, Defendant Lisa Marie Jarrell-Wear, proceeding pro per, filed a motion to set aside entry of default. [Docket No. 12.] In her motion, Ms. Jarrell-Wear requests that the entry of default be set aside on the basis that Plaintiffs “failed to provide personal service to Defendant both as an individual as a corporation.” [Docket No. 12 at 3.] It appears that Ms. Jarrell-Wear is attempting to move to set aside the entry of default on behalf of both herself, as an individual, and defendant corporation, Jarrell & Associates, Inc. This motion has been noticed for hearing on December 17, 2015. Re-noticed Motion [Docket No. 18.]

The court notes that Defendant Jarrell & Associates, Inc. has not yet made an appearance in this case, and Ms. Jarrell-Wear, as a non-attorney, may not represent Jarrell & Associates, Inc. It is a longstanding rule that “[c]orporations and other unincorporated associations must appear in court through an attorney.” *D-Beam Ltd. Partnership v. Roller Derby Skates, Inc.*, 366 F.3d 972, 973–74 (9th Cir.2004) (citations omitted); see also Civ. L.R. 11-1(b) (“A corporation, unincorporated association, partnership or other such entity may appear only through a member of the bar of this Court.”). Thus, while any individual may appear pro se, Jarrell & Associates, Inc.—a corporation— may appear in federal court only through a licensed attorney. Ms. Jarrell-

1 Wear, as a pro se litigant, may only represent herself in the proceeding, and as a non-attorney, may
2 not file a motion to set aside the entry of default judgment on behalf of Defendant Jarrell &
3 Associates, Inc.

4 Defendant Jarrell & Associates, Inc. is ordered to make an appearance through an attorney
5 by December 7, 2015. Defendant Jarrell & Associates, Inc. shall also file its consent or
6 declination to magistrate judge jurisdiction by December 7, 2015.

7
8 **IT IS SO ORDERED.**

9 Dated: November 10, 2015



Donna M. Ryu
United States Magistrate Judge